

**SUPREME COURT MINUTES
THURSDAY, SEPTEMBER 29, 2005
SAN FRANCISCO, CALIFORNIA**

S134072 C045494 Third Appellate District	COMMISSION ON PEACE OFFICER STANDARDS & TRAINING v. S.C. (L.A. TIMES) Time extended to grant or deny review to October 31, 2005 to file petitioner's Answer Brief on the Merits.
S136025 E035829 Fourth Appellate District, Division One	PEOPLE v. THOMAS Time extended to grant or deny review to October 31, 2005.
S136085 C049202 Third Appellate District	PEOPLE v. RODRIGUEZ Time extended to grant or deny review to November 1, 2005.
S136145 H029013 Fifth Appellate District	AIRGAS NORTHERN CALIF v. S.C. (CULLERS) Time extended to grant or deny review to October 28, 2005.
S136255 B178996 Second Appellate District, Division Five	WAGNER CONSTRUCTION v. PACIFIC MECHANICAL CORPORATION Time extended to grant or deny review to November 4 2005.
S136325 B171700 Second Appellate District, Division One	ABF CAPITAL CORP. v. BERGLASS Time extended to grant or deny review to November 7, 2005.
S136397 F047774 Fifth Appellate District	MADRIGAL v. S.C. (PEOPLE) Time extended to grant or deny review to November 10, 2005

S136425D044394 Fourth Appellate District,
Division One

PEOPLE v. AGEEL

Time extended to grant or deny review

to November 9, 2005.

S136567G032799 Fourth Appellate District,
Division Three

PAYNE v. ANAHEIM MEMORIAL MEDICAL

Time extended to grant or deny review

to November 4, 2005

S029588

PEOPLE v. RICHARDSON (CHARLES)

Extension of time granted

to December 9, 2005 to file appellant's reply brief. After that date, only three further extensions totaling about 150 additional days will be granted. Extension is granted based upon counsel Richard Jay Moller's representation that he anticipates filing that brief by 6/2006.

S046848

PEOPLE v. DALTON (KERRY LYN)

Extension of time granted

to November 29, 2005 to file appellant's opening brief. After that date, only two further extensions totaling about 90 additional days will be granted. Extension is granted based upon Supervising Deputy State Public Defender Denise Anton's representation that she anticipates filing that brief by 2/26/2006.

S049741

PEOPLE v. SUFF (WILLIAM L.)

Extension of time granted

to November 29, 2005 to file appellant's opening brief. After that date, only two further extensions totaling about 90 additional days will be granted. Extension is granted based upon Supervising Deputy Public Defender Jeffrey J. Gale's representation that he anticipates filing that brief by end of 2/2006.

S049973

PEOPLE v. KELLY (DOUGLAS OLIVER)

Extension of time granted

to November 28, 2005 to file appellant's reply brief. After that date, only one further extension totaling about 30 additional days will be granted. Extension is granted based upon Senior Deputy State Public Defender Evan Young's representation that she anticipates filing that brief by 12/30/2005.

S052808

PEOPLE v. GAMACHE (RICHARD C.)

Extension of time granted

to November 23, 2005 to file appellant's reply brief. After that date, only one further extension totaling about 50 additional days will be granted. Extension is granted based upon counsel Richard Jay Moller's representation that he anticipates filing that brief by 1/2/2006.

S054372

PEOPLE v. ERVINE (DENNIS N.)

Extension of time granted

to December 2, 2005 to file appellant's opening brief. After that date, only two further extensions totaling about 90 additional days will be granted. Extension is granted based upon Deputy State Public Defender Douglas Ward's representation that he anticipates filing that brief by 3/1/2006.

S055528

PEOPLE v. BARNWELL (LAMAR)

Extension of time granted

to November 28, 2005 to file appellant's reply brief. After that date, only two further extensions totaling about 120 additional days will be granted. Extension is granted based upon Assistant State Public Defender Jessica K. McGuire's representation that she anticipates filing that brief by 11/28/2005.

S060500

PEOPLE v. D'ARCY (JONATHAN D.)

Extension of time granted

to October 24, 2005 to file appellant's opening brief.

S062180

PEOPLE v. VALDEZ (RICHARD)

Extension of time granted

to November 29, 2005 to file appellant's opening brief. After that date, only two further extensions totaling about 120 additional days will be granted. Extension is granted based upon Deputy State Public Defender Raoul D. Schonemann's representation that he anticipates filing that brief by 4/1/2006.

S065233

PEOPLE v. SMITH (FLOYD)

Extension of time granted

to December 5, 2005 to file appellant's opening brief. After that date, only three further extensions totaling about 160 additional days will be granted. Extension is granted based upon Deputy State Public Defender Jamilla Moore's representation that she anticipates filing that brief by early 5/2006.

S066939

PEOPLE v. ALLEN & JOHNSON

Extension of time granted

to November 23, 2005 to file respondent's brief. After that date, only one further extensions totaling about 60 additional days will be granted. Extension is granted based upon Deputy Attorney General Gary A. Lieberman's representation that he anticipates filing that brief by 1/21/2006.

S073205

PEOPLE v. WILLIAMS (JACK)

Extension of time granted

to December 12, 2005 to file appellant's opening brief. After that date, no further extension is

contemplated. Extension is granted based upon counsel R. Clayton Seaman, Jr.'s representation that he anticipates filing that brief by 12/10/2005.

S073823

PEOPLE v. BUENROSTRO (DORA)

Extension of time granted

to November 29, 2005 to file appellant's opening brief.

S075136

PEOPLE v. COVARRUBIAS (DANIEL S.)

Extension of time granted

to November 28, 2005 to file appellant's opening brief.

S075727

PEOPLE v. JOHNSON (CEDRIC JEROME)

Extension of time granted

to December 2, 2005 to file appellant's opening brief. After that date, only four further extensions totaling about 240 additional days will be granted. Extension is granted based upon Deputy State Public Defender Joseph E. Chabot's representation that he anticipates filing that brief by 8/2/2006.

S078664

PEOPLE v. AVILA (JOSEPH)

Extension of time granted

to November 28, 2005 to file appellant's opening brief. After that date, only one further extension totaling about 60 additional days will be granted. Extension is granted based upon counsel Christine J. Levin's representation that she anticipates filing that brief by 1/27/2006.

S085348

PEOPLE v. CASTANEDA (GABRIEL)

Extension of time granted

to November 28, 2005 to file appellant's opening brief. The court anticipates that after that date, only two further extensions totaling about 120 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

S128854

B159379 Second Appellate District,
Division Seven

PEOPLE v. VASQUEZ

Extension of time granted

to file the reply brief on the merits to
October 26, 2005.

S129115

KIPP (MARTIN JAMES) ON H.C.

Extension of time granted

to October 31, 2005 to file the reply to the informal response to the petition for writ of habeas corpus. After that date, only three further extensions totaling about 75 additional days will be granted. Extension is granted based upon Deputy Federal Public Defender Mark R. Drozdowski's representation that he anticipates filing that document by 1/13/2006.

S130809

TROTTER (STACY) ON H.C.

Extension of time granted

to October 26, 2005 for respondent to file the informal response.

S134253

A108488 First Appellate District,
Division Three

INTERNATIONAL FED OF PROFESSIONAL &
TECHNICAL ENGINEERS v. S.C. (C. COSTA NEWS)

Extension of time granted

to October 12, 2005 for Real Parties in Interest
to file Answer Brief on the Merits.

S136861**JABLONSKI (PHILIP CARL) ON H.C.**
Extension of time granted

to October 31, 2005 to file the informal response to the petition for writ of habeas corpus. After that date, only six further extensions totaling about 180 additional days will be granted. Extension is granted based upon Deputy Attorney General Christopher W. Grove's representation that he anticipates filing that document by 3/30/2006.

S029843**PEOPLE v. BECK & CRUZ**
Order filed

The order filed in the above matter on September 28, 2005, is amended to read as follows:

Appellant's "Application for an Order Allowing Undersigned Counsel to Inspect and Copy Transcripts and Documents Sealed for the Benefit of Appellant James David Beck," filed June 9, 2005, is granted. The clerk is directed to provide counsel for appellant with copies of the following sealed materials:

1. Beck's probation report
2. Faulkner's declaration (C.T. XVIII, C.T. 3996-3997)
3. Attorney fees and costs incurred in the defense of Beck (C.T. IVA, C.T. 873-874, 927-929, 952-953, 1034-1035, 1058-1062)
4. Attorney fees and costs incurred in the defense of Beck (C.T. VA, C.T. 1213-1216, 1312-1313)
5. Attorney fees and costs incurred in the defense of Beck (C.T. VIA, C.T. 1616-1617, 1721-1724)
6. Attorney fees and costs incurred in the defense of Beck (C.T. VIIA, C.T. 1796-1798)
7. Faulkner's declaration regarding witness travel expenses and superior court order allocating funds therefor (C.T. IXA, C.T. 2424-2425)
8. Request for funding of costs to be incurred in the defense of Beck (Pen. Code,

§ 987.9) (C.T. XVIA, C.T. 3945-3950)

9. Prospective juror hearing regarding prospective juror's private information (Jo Ann T.) (R.T. of Mar. 23, 1992, 9:35 a.m., pp. 1-4)

10. Prospective juror hearing regarding prospective juror's private information (Steve B.) (R.T. of Mar. 19, 1992, 9:10 a.m. (1 of 2), pp. 1-3)

11. Prospective juror hearing regarding prospective juror's private information (Lester N.) (R.T. of Mar. 19, 1992, 9:10 a.m. (2 of 2), pp. 1-5)

12. Prospective juror hearing regarding prospective juror's private information (Phyllis L.) (R.T. of Mar. 18, 1992, 9:30 a.m. (1 of 3), pp. 2356-2357)

13. Prospective juror hearing regarding prospective juror's private information (Thomas F.) (R.T. of Mar. 18, 1992, 9:30 a.m. (2 of 3), pp. 1-6)

14. Prospective juror hearing regarding prospective juror's private information (Elola H.) (R.T. of Mar. 18, 1992, 9:30 a.m. (3 of 3), pp. 1-3)

15. Prospective juror hearing regarding prospective juror's private information (Carol E.) (R.T. of Mar. 12, 1992, (1 of 2), pp. 1-4)

16. Prospective juror hearing regarding prospective juror's private information (Dawn S.) (R.T. of Mar. 12, 1992, (2 of 2), pp. 1-5)

17. Prospective juror hearing regarding prospective juror's private information (Joyce C.) (R.T. of Mar. 11, 1992, 3:05 p.m., pp. 1-4)

18. Prospective juror hearing regarding prospective juror's private information (Bruce D.) (R.T. of Mar. 10, 1992, pp. 1-4)

19. In-camera proceedings of Feb. 27, 1992, and Mar. 2, 1992 (R.T. 1403-1448)

20. In-camera status hearing (R.T. of Apr. 25, 1991, pp. 1-8)

21. Confidential Penal Code section 987.9 hearing (investigative expenses) (R.T. of May 21, 1992, pp. 1-9)

It is ordered that only counsel for appellant Beck and investigators retained by counsel for appellant Beck may have access to and use the reporter's transcripts of the pretrial hearings of

February 27 and March 2, 1992, consisting of R.T. 1403-1448 (with the exception of line 28 of R.T. 1426 and all of R.T. 1427 and 1428, to which line and pages the restrictions enumerated in this paragraph do not apply). Neither the transcripts nor any information contained in them is to be disclosed to appellant Beck or to any other person, except (1) to investigators for appellant and (2) in papers presented to this court. If counsel for appellant wishes to disclose or describe these materials to appellant, or to any other person except (1) investigators for appellant or (2) in papers presented to this court, counsel must apply to this court for permission to do so. To the extent the parties quote, disclose, or describe these materials in any such application or in any other papers presented to this court, those papers must themselves be filed or lodged under seal.

The clerk is directed to keep the foregoing materials under seal.

S113295

B156216 Second Appellate District,
Division Three

POWERINE OIL v. S.C. (CENTRAL NATIONAL
INSURANCE CO OF OMAHA
Order filed

Finality of the opinion in the above-entitled case is hereby extended to and including October 28, 2005.

S131554

B176439 Second Appellate District,
Division Five

HARTFORD CASUALTY INSURANCE v. S.C.
(C3 ENTERTAINMENT INC.)
Order filed

The court requests that counsel address the effect on this case of Assembly Bill 1322, amending Code of Civil Procedure section 170.1, which was signed by the Governor on September 22, 2005 and went into immediate effect. All parties and amicus curiae may file supplemental letter briefs no later than October 20, 2005 and any responses no later than October 27, 2005.

SAN FRANCISCO

SEPTEMBER 29, 2005

1971

S011636

PEOPLE v. JAMES NELSON BLAIR
Order filed

Court's 150-day statement.

S021054

PEOPLE v. RICHARD RUSSELL MOON
Order filed

Court's 150-day statement.